



MEMO ENDORSED

George Latimer
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

September 23, 2020

VIA ECF and EMAIL

Hon. Kenneth M. Karas
United States District Judge
The Hon. Charles L. Briant Jr.
Federal Building and United States Courthouse
300 Quarropas Street, Courtroom 521
White Plains, NY 10601-4150

Re: Request for Extension of Time to File Motion to Dismiss
George v. County of Westchester, et. al., Civil Action No. 20-cv-1723

Dear Judge Karas:

I represent defendants Captain Van Lierop, Assistant Warden Spaulding, Assistant Warden Eric Middleton, Captain Mabra, Sergeant Kitt, Sergeant Lopez, and Captain Roberts, and County of Westchester ("County Defendants") in the above-referenced matter. In accordance with Your Honor's Individual Rules of Practice in Civil Cases, we respectfully request an extension of time to file the motion to dismiss Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure ("F.R.C.P.") (12)(b)(6). Specifically, County Defendants request a two-week extension, with the County's motion due Friday, October 9, 2020.

In your Order dated August 25, 2020, you waived the pre-motion conference requirement and granted Defendants leave to file a motion to dismiss with the following briefing schedule: County Defendants' motion to dismiss due by September 25, 2020; Plaintiff's opposition due October 25, 2020; Defendants' reply due November 15, 2020. We are respectfully requesting that the schedule you set forth in your Order of August 25, 2020 be adjusted accordingly: County Defendants' motion to dismiss due by October 9, 2020; Plaintiff's opposition due November 8, 2020; Defendants' reply due November 29, 2020.

The undersigned's supervising colleague is currently inundated with motions and administrative matters on unrelated cases during the week of September 21, 2020 and has experienced a death in the family. This is the County Defendants first request for an extension.



Seeing as though Plaintiff is no longer incarcerated, the undersigned contacted him via telephone at both telephone numbers he provided on his Complaint. The undersigned called (914) 830-9682 and spoke with an individual by the name of Marie, who identified herself as Plaintiff's aunt, and advised that she would provide a message for Plaintiff. Plaintiff returned the phone call to the undersigned and has consented to an extension.

I thank you in advance for your time and consideration of this matter, and should your staff need to contact me, I can be reached at (914) 995-2115.

The revised briefing schedule related to the Motion to Dismiss is approved. Defense counsel is to mail a copy of this memo endorsement to Plaintiff and certify on the record that this was done by 10/1/20.

So Ordered.



9/24/20

Respectfully submitted,

/s/ Jordan L. Silver

Jordan L. Silver

Assistant County Attorney

cc: Llewellyn Sinclair George (via U.S. mail)
Pro se Plaintiff
159 S. Lexington Ave
Apt. 7K
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